TUTORIAL ESSAYS IN FORENSIC AND CRIMINAL PSYCHOLOGY

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An independent academic psychologist, based in England, who has written extensively on different areas of psychology with an emphasis on the critical stance towards traditional ideas.
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CONTENTS

Page No.

1. REPRESENTING DATA AND THE AGE DISTRIBUTION OF THE PRISON POPULATION

The UK Government publishes official statistics of the number of individuals in prison each year. Table 1.1 shows the breakdown of that population by age group for men and women at 30 June 2003 [1].

AGE GROUPS:	MEN		WOMEN	
	NUMBERS	% OF TOTAL	NUMBERS	% OF TOTAL
15-17 yrs	1724	3.1	57	1.6
18-20	5740	10.3	305	8.8
21-24	10 112	18.1	670	19.3
25-29	10 441	18.7	702	20.2
30-39	16 304	29.1	1100	31.6
40-49	7252	13.0	492	14.2
50-59	2975	5.3	123	3.5
60+	1413	2.4	28	0.8
Total	55 962	100	3477	100

(Source: Annual Abstract of Statistics 2005)

Table 1.1 - Prison population by age group in England and Wales at 30 June 2003.

Pie-charts show the division of the whole into "slices" (table 1.2). Figures 1.1 and 1.2 show the age distribution for men and women separately.
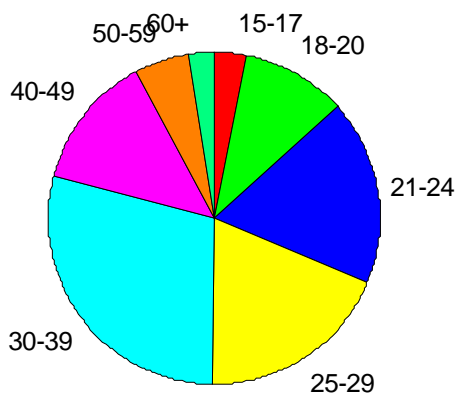
Figure 1.1 - Pie-chart showing age distribution of male prison population in England and Wales at 30 June 2003.

STRENGTHS	WEAKNESSES
1. Easy to draw. 2. Easily portrays information. 3. Shows relationship of parts to the whole. 4. Easy to grasp results from brief look.	1. Comparison of size of categories poorer than bar-charts. 2. Other pictorial representations, like box and whisker plots, give a more sophisticated representation of the data. 3. If used inappropriately is meaningless. 4. Better as a visual aid than detailed representation of the data.

Table 1.2 - Strengths and weaknesses of pie-charts to summarise data.
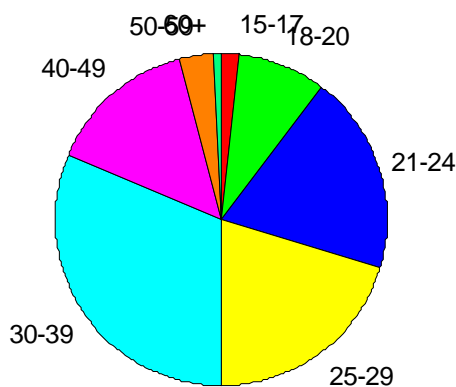
Figure 1.2 - Pie-chart showing age distribution of the female prison population in England and Wales at 30 June 2003.

        Because there are many more men in prison than women (sixteen times more), the comparison of numbers is best done using the percentages of the respective totals. Thus a bar-chart can show the age group profile differences between the sexes (figure 1.3). The age profiles are similar, as shown by the measures of central tendency (table 1.3), with the majority of inmates aged younger than 40 years old.
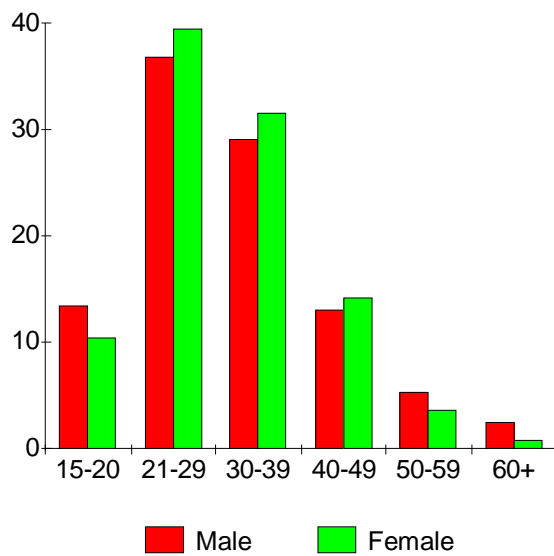
(15-17 and 18-20 categories combined as 15-20, and 21-24 and 25-29 combined as 21-29)

Figure 1.3 - Bar-chart showing age distribution of the male and female prison population in England and Wales at 30 June 2003.

	MEN	WOMEN	DESCRIPTION OF CENTRAL TENDENCY
Median	25-29	30-39	Middle score when all scores laid out in numerical order
Mode	30-39	30-39	Most common score
Mean	25-29	25-29	Total of all scores divided by number of individuals

Table 1.3 - Measures of central tendency and the average age of prison population in England and Wales at 30 June 2003.

Bar-charts show the categories of data in columns where the variation in height of the bars is important (table 1.4).

STRENGTHS	WEAKNESSES
1. Easy to draw.	1. Does not highlight differences as well as histograms, which vary the height and width of the bars.
2. Comparative size of categories can be shown better than with pie-charts.	2. Pie-charts better for showing the relationship of parts to the whole.
3. Values of quantities represented can be read off from scale of values, and thus easy to grasp results from a brief look.	3. Not as appropriate with continuous data.
4. Can be used with individual scores or group means and totals.	4. Can be misleading if scale on vertical axis is not accurate.

Table 1.4 - Strengths and weaknesses of bar-charts to summarise data.

2. ATTRIBUTION OF CAUSE AND ROAD RAGE

Britt and Garrity (2003) defined road rage as "the constellation of thoughts (eg: 'Why did the person do that?'), feelings (eg: anger, fear, worry), and behaviours (eg: shouting, tailgating, flashing lights) that result when an individual perceives an unjustified provocation while driving" (p55). Road rage includes the rare, extreme cases of physical aggression to the more common, milder behaviours like shouting or gesturing at another driver.

The definition includes three components of road rage: thoughts, emotions, and behaviour. The latter two components are linked to type A personality, and the endorsement of the male stereotype, for example (Britt and Garrity 2006). The thoughts or cognitive component includes the attribution of the cause for the other driver's behaviour (eg: "they did it intentionally to annoy me").

Britt and Garrity (2006) investigated these variables involved in road rage with 164 US undergraduates. They were asked to think of their experience of the following situations: "'being tailgated (followed closely) by another car and the person continued to tailgate you even though you were going a decent speed limit'; 'a person cut you off, forcing you to brake'; and 'you were going behind a person going real slow in the left hand lane of a highway, and you could not pass the person because of traffic in the right lane'" (p131-132).

The participants were asked about their response to these situations: "Made an obscene gesture to the driver', 'Yelled or cursed at the driver', 'Gave the person a dirty look or stare', or 'Honked your horn'. Then there were questions about the attributions for the other driver's behaviour: something about their personality (locus), stability of the cause, and globality ("The reason for the driver's behaviour affects other areas of the driver's life") (table 2.1).

Locus	Internal - something about the driver	External - something about the circumstances
Stability	Stable - always drivers like that	Unstable - behaved like that on this occasion only
Globality	Global - shows behaviour in all areas of life	Specific - shows behaviour only when driving

Table 2.1 - Different attributions of cause of behaviour.

Anger was reported most in the situation of being cut off, and worry in the tailgating situation (figure 2.1).
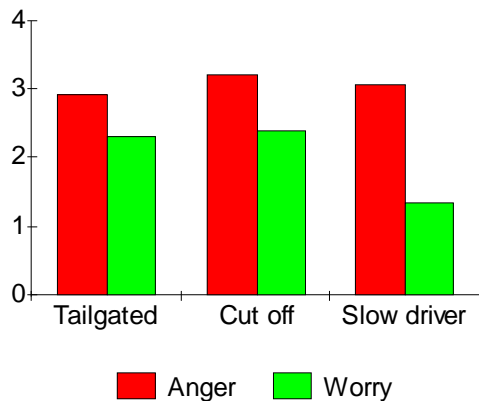
(A higher score = more anger/worry)

Figure 2.1 - Mean ratings (out of five) for anger and worry in three driving situations.

The tailgating situation was attributed as internal, stable and global (ie: this behaviour is typical of this person all the time), and slow driver situation as internal and stable (figure 2.2).

LOCUS

External (0)   (5) Internal

                    Cut off (3.69)
                        Tailgated (4.18)
                        Person slow (4.21)

STABILITY

Unstable (0)   (5) Stable

                    Cut off (4.06)
                        Tailgated (4.27)
                        Person slow (4.30)

GLOBALITY

Specific (0)   (5) Global

                  Person slow (3.69)
                  Cut off (3.70)
                        Tailgated (3.99)

Figure 2.2 - Mean ratings (out of five) for attributions of cause of driving behaviour.

The attribution of the cause as internal and stable significantly correlated with anger (table 2.2). In all three situations, an attribution that the other driver did the behaviour on purpose [2] also significantly correlated with anger.

	Tailgated	Cut off	Slow driver
Internal	–	0.28	–
Stable	0.25	0.38	0.32
Global	0.18	–	–

Table 2.2 - Significant correlations between attributions and anger in the three situations.

REFERENCES

Britt, T.W & Garrity, M.J (2003) An integrative model of road rage International Review of Social Psychology 16, 53-78

Britt, T.W & Garrity, M.J (2006) Attributions and personality as predictors of the road rage response British Journal of Social Psychology 45, 127-147

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[2] As measured by response to these items: "The driver did the behaviour to intentionally upset you", "The driver was aware that the behaviour would annoy you", and "The driver got some enjoyment out of upsetting you".

3. SOME FACTORS INFLUENCING EYE-WITNESS ACCURACY

Eye-witnesses can vary in their accuracy in identifying perpetrators of crimes and in recall of information about an event.

For example, Valentine et al (2003) found that 640 real eye-witnesses identified the correct suspect in police line-ups in about 40% of cases, the wrong person in 20% of cases, and came to no decision in the rest.

The research has shown that certain factors do and do not influence accuracy. For example, Shapiro and Penrod (1986) performed a meta-analysis of 128 experiments with a total of 960 conditions, more than 17 0000 participants, and over 70 000 separate recognition judgments.

1. Factors that do not influence accuracy:

• Gender of witness - men and women as accurate.

• Intelligence - no difference in accuracy based on normal range IQ score.

• Personality - no difference between personality types.

• Gender of perpetrator - men and women recognised equally by witnesses.

2. Factors that are not reliable indicators of accuracy:

• Consistency of testimony (ie: telling the same story each time - it can be wrong).

• Confidence of witness in recall accuracy.

• Accuracy and completeness of prior descriptions - the accuracy and completeness of a description of a perpetrator at one time is not a guarantee of identification at a later stage.

3. Factor that does not improve accuracy:

• Training - eg: police officers not necessarily more accurate witnesses than civilians because of training.

4. Factors that do improve accuracy of witnesses:

• Depth of processing - information that is deeply
  processed is better recalled than shallow processed
  information.

• Distinctiveness of perpetrator - eg: face with scars.

• Recall in context - eg: go back to location of event as
  cues there will aid recall.

• Attractiveness of perpetrator (if extremely attractive
  or unattractive).

5. Factors that reduce accuracy of witnesses:

• Alcohol/drugs.

• Stress/emotions - increased stress or highly emotional
  events reduce recall.

• Expectations/stereotypes/assumptions - can distort
  recall as expected rather than what actually seen.

• "Efforts after meaning"/attributions - trying to make
  sense of the event can distort the memory of it.

• Personal motivations and biases.

• Severe mental illness - eg: psychosis, dementia.

• Post-event contamination - information after the event
  can reduce accuracy of recall.

• Nature of questioning - how questions are asked at time
  of recall can influence what is recalled.

• Use of weapon by perpetrator - the "weapon effect"
  means that witnesses will concentrate on this and not
  other aspects of the perpetrator.

• Viewing conditions - eg: short exposure, poor lighting
  conditions, distance from event.

• Race/ethnicity of perpetrator - accuracy of
  identification is poorer with individuals from another
  race or ethnic group compared to own group.

• Disguise worn by perpetrator including changing hair or
  beard.

- Age of witness - young children and very old adults less accurate.

- Similarity - similar events can produce confusion about recall of an individual event.

6. Factors that both improve or reduce accuracy:

- Amount of attention paid generally to event.

- Amount of attention to specific elements of the event.

- Prior knowledge - depending whether it aids recall or leads to a distortion of memory to fit previous knowledge.

- Mental state of witness - eg: alert vs depressed.

REFERENCES

Shapiro, P & Penrod, S.D (1986) A meta-analysis of facial identification studies Psychological Bulletin 100, 139-156

Valentine, T et al (2003) Characteristics of eye-witness identification that predict outcome of real line-ups Applied Cognitive Psychology 17, 969-993

BIBLIOGRAPHY

Billlingham, M; Brewer, K et al (2008) A2 AQA Psychology B Cheltenham: Nelson Thornes

Brewer, K (2000) Psychology and Crime Oxford: Heinemann

Kremer, J et al (2003) Applying Social Psychology Basingstoke: Palgrave Macmillan

4. ENGLISH CRIMINAL LAW AND NOT GUILTY BY REASON OF INSANITY

In legal terms, any offence contains the "actus reus" (AR) (guilty act) and the "mens rea" (MR) (guilty mind). The prosecutor must provide evidence that the accused voluntarily committed the crime (AR), and that they intended to do it and understood what they were doing (MR).

In most cases these two elements are together, but there are situations where the MR is "missing". For example, an individual suffering from Alzheimer's disease may take an item from a shop without paying. The memory impairment may mean that the individual forgot to pay rather than intended to steal it (MR).

English criminal law traditionally distinguishes four kinds of crime based on AR:

i) Action crimes - these are crimes where the AR is the action of behaving in a particular way, irrelevant of the consequences of the action (eg: perjury/false testimony under oath).

ii) State of affair crimes - the AR is "being" rather than "doing" here, like being an "illegal immigrant" (ie: being in a country without the legal documentation).

iii) Result crimes - the result of a behaviour leads to the crime (eg: hitting a person results in murder).

iv) Omissions - the AR here is the failure to do something.

English criminal law generally refers to certain states of mind for a MR:

a) Intention - the individual directly (direct intention) or indirectly (oblique intention) intends a consequence of their behaviour. For example, stabbing an enemy intending to kill them (direct intention) as opposed to throwing a knife to a friend which kills them (oblique intention).

b) Recklessness - this refers to taking an unjustified risk. Cunningham recklessness is foreseeing that harm could occur from a particular behaviour and doing it anyway, and Caldwell recklessness is a risk that is reasonably foreseeable to others even if the defendant did not foresee it.
Both types of recklessness are named after cases in

legal history. Cunningham broke a gas meter to steal the money inside, and the consequent escaping gas caused harm. Caldwell started a small fire in a hotel which caused great damage. He claimed, in defence, that he could not have foreseen the extent of the damage.

c) Negligence - this is where an individual fails to behave as expected of a "reasonable person", and thus neglects their "duty". For example, allowing a child to play in a garden covered with broken glass, and the child is subsequently injured by the glass.

English criminal law allows for situations where the offender does not have MR, like "Not Guilty by Reason of Insanity" ("did not know what was doing") or the "McNaughten defence".
This is based on Daniel McNaughten who attempted to shot the British prime minister (PM) (believing the PM was persecuting him), and missed killing the PM's secretary. McNaughten's acquittal of murder due to being "partially insane" led to the "McNaughten rules" in 1843.

BIBLIOGRAPHY

Kremer, J et al (2003) Applying Social Psychology Basingstoke: Palgrave Macmillan

Rosenhan, D.L & Seligman, M.E.P (1995) Abnormal Psychology (3rd ed) London: Norton

5. ELDERLY PRISONERS AND OFFENDERS

Among the stereotypes of elderly people is the view that they cannot be offenders. The rate of offending is low for the age group, but still there are criminals.

In early study, Taylor and Parrott (1988) found that, of men remanded to Brixton prison, south London in 1979-80, 3.2% were aged 55-64, and 1.9% were over sixty-five years old. This is disproportionately less than the general population of these ages, while younger men were over-represented in prison (figure 5.1).

Around 40% of the two older age groups were charged with theft, followed by sexual offences excluding rape, but few violent offences. The oldest age group had disproportionately higher rates of psychiatric disorder than the younger men (55% vs mean of 27% for all others).
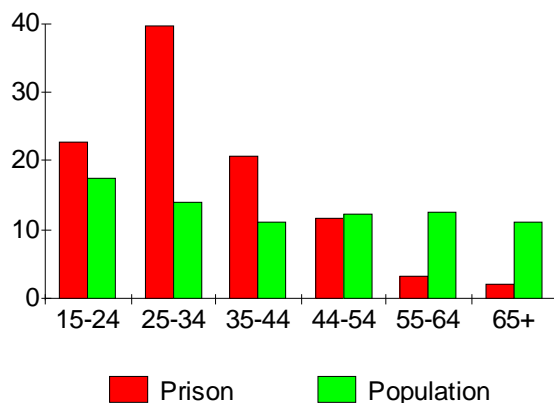
(Source: Taylor and Parrott 1988)

Figure 5.1 - The percentage of men in prison sample compared to percentage in the general population.

According to more recent Government figures, relative to other age groups, over 60s are a minute feature of offending (less than 1% guilty of all indictable offences in England and Wales compared to over 70% by under 30s) (Jacoby 1997). The most common crime by over 60s were sexual offences followed by fraud and forgery (Jacoby 1997).

The proportion of males over sixty years old in the total prison population in England and Wales was 2.2% in 1999 (Home Office 2000). The number of arrests of older people in the West has remained stable over the last ten years despite the increasing proportion of over 60s in the population, but the numbers of older people in prison

has increased three-four fold (Yorston and Taylor 2009) [3] (table 5.1).

The proportion of imprisoned sexual offenders over sixty was 38.1% of the prison population for that age group in 1999 (Home Office 2000). This figure is 55.1% in 2007 (table 5.2).

	TOTAL PRISON POPULATION		60 YRS & OLDER (N/%)	
	MALE	FEMALE	MALE	FEMALE
2001	51 313	2899	1211 (2.36)	18 (0.62)
2002	53 967	3339	1365 (2.52)	19 (0.57)
2003	55 962	3477	1413 (2.52)	28 (0.81)
2004	57 523	3453	1508 (2.62)	20 (0.58)
2005	58 707	3479	1594 (2.72)	24 (0.69)
2006	59 898	3506	1719 (2.87)	39 (1.12)
2007	62 188	3345	1973 (3.17)	49 (1.46)

(After Office for National Statistics 2005, 2010)

Table 5.1 - Prison population of 60 years and over in England and Wales on 30 June 2001-7.

	NUMBER OF SEXUAL OFFENDERS OVER 60 YRS OLD		% OF ALL SEXUAL OFFENDERS		% OF 60 YRS + PRISON POPULATION	
	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE
2001	686	2	13.5	8.0	56.6	11.1
2002	794	1	15.0	4.34	58.1	5.26
2003	838	2	15.2	7.69	59.3	7.14
2004	865	2	15.1	7.4	57.4	10.0
2005	922	3	15.0	7.7	57.8	12.5
2006	971	3	14.8	8.1	56.5	7.7
2007	1112	2	15.3	4.2	56.4	4.1

(After Office for National Statistics 2005, 2010)

Table 5.2 - Imprisoned sexual offenders over sixty years old in England and Wales on 30 June 2001-7.

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[3] A 65% increase between 2001 and 2007 in England and Wales.

Curtice et al (2003) detailed the case of thirty-one male offenders and one female offender (aged between 65-84 - elderly mentally disordered offenders; EMDO) at Fromeside Clinic in Bristol between 1988-99. This is a regional secure unit for offenders who are classed as mentally disordered (legally) and thus not sent to prison.

Of the sample, interestingly only 44% had a mental disorder (clinical definition), 19% dementia, 6% depression, 6% chronic paranoid schizophrenia, 3% schizoaffective disorder, 3% organic personal disorder, 3% mild learning disability, and 3% alcoholism.

The most common offences were sexual with minors (56% of sample), and indecent assault was the most commonest of them. Again interestingly, half of them were first time offenders and half recidivists. One theory for the first time child sexual offenders in later life is that the "long-lasting 'Achilles heel'" can no longer be controlled as ageing and/or dementia occurs (Soothill et al 1976). Only two of the first time child sexual offenders had dementia and one of the recidivists.

Curtice et al questioned the presence of eighteen individuals without a diagnosis of mental illness: other studies have noted a "lenient attitude to elderly offenders by the police and criminal justice service".

Yorston and Taylor (2009) interviewed twelve [4] [5] of the sixteen patients aged 60 and over [6] in a high security hospital, Broadmoor, England, during February 2004 (along with 21 of their care staff). All but one had committed a serious offence [7], with the mean duration of residence around seventeen years.

Four themes were drawn from the analysis of the unstructured interviews that begun with the question: "Can you tell me about your experiences as an older person, of the care you have received in Broadmoor Hospital?".

i) Quality of life - This was enhanced for the patients by peace and quiet on the ward, good relationships with staff, and getting off the ward (eg: playing chess in the Activities Centre). There was some concern about staff shortages restricting their opportunities for the latter.

ii) Vulnerability - Many interviewees rejected the

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[4] Most had a diagnosis of some form of psychosis (eg: schizophrenia).
[5] Only one was female.
[6] Age range: 60-88 years old.
[7] Five had committed homicide, two attempted murder, three serious child sexual offences, and one armed robbery.

idea of being vulnerable, even one men boasting that he had never been bullied. However, staff members contradicted this.

iii) Risk to others - Several staff members and some patients accepted that the individuals were still a risk to others despite their age.

iv) External resources - The possibility of moving to a lower security unit, but not into the community, was mentioned. Part of the reason is the difference that the patients felt between themselves and people of their age outside the hospital: "It would be difficult to reminisce with people of the same age outside – I've always been inside, so I haven't got the normal life experiences... I like to keep mentally active. I wouldn't want to mix with older people in the community, they sit around and reminisce about the war" (Hugh; p264).

The "white-haired offender" is at risk of abuse, mistreatment and neglect more than other prisoners (Wahidin and Powell 2004).

Older prisoners are paradoxically under perpetual surveillance by prison guards while, at the same time, being invisible within the system: "The voices of the elders illustrate their concerns at how they are marginalised within a space, which claims to enable women and men across the life course to lead useful lives in custody and after release" (Wahidin and Powell 2004 p59).

REFERENCES

Curtice, M et al (2003) The elderly offender: An eleven-year survey of referrals to a regional forensic psychiatry service Journal of Forensic Psychiatry and Psychology September, 253-265

Home Office (2000) Prison Statistics England and Wales 1999 London: HMSO

Jacoby, R (1997) Psychiatric aspects of crime and the elderly. In Jacoby, R & Oppenheimer, C (eds) Psychiatry in the Elderly (2nd ed) Oxford: Oxford University Press

Office for National Statistics (2005) Annual Abstract of Statistics Norwich: HMSO

Office for National Statistics (2010) Annual Abstract of Statistics 2010 Norwich: HMSO

Soothill, K et al (1976) Rape: A twenty-two year cohort study Medicine, Science and the Law 16, 62-69

Taylor, P.J & Parrott, J.M (1988) Elderly offenders British Journal of Psychiatry 152, 340-346

Wahidin, A & Powell, J (2004) Older people and carceral institutions in the UK: A Foucauldian excursion International Journal of Sociology and Social Policy 24, 12, 44-65

Yorston, G & Taylor, P.J (2009) Older patients in an English high security hospital: A qualitative study of the experiences and attitudes of patients aged sixty and over and their care staff in Broadmoor Hospital Journal of Forensic Psychiatry and Psychology 20, 2, 255-267

6. RE-OFFENDING AFTER RELEASE FROM PSYCHIATRIC SECURE UNITS

After individuals are released from a secure institution, like a prison or a secure unit, the question is whether they will re-offend. Researchers study large groups of released individuals looking for patterns and risk factors to predict future re-offenders.

The best method to use is a cohort study. This follows up at a later date on the whole group of individuals who left an institution during a certain period. For example, Coid et al (2007) selected a cohort of all admissions to medium secure forensic psychiatry services in seven of fourteen UK regional health authorities between 1989 and 1993. These services are provided for individuals diagnosed with a mental disorder who have committed a crime, and prison is viewed as suitable to use.

There were 1344 individuals in this cohort, admitted to the services and later released into the community. The re-offending rate of the cohort were checked up to the end of 1998, or the date of death or leaving the country of an individual (an average follow-up of six years). Data on convictions [8] were taken from the Offenders Index held at the Home Office. This records all offences and offenders in England and Wales as reported by the police.

It was found that one-third of the men (34%) [9] and one in seven women (15%) were convicted of an offence during follow-up.

Analysis of the data showed the risk factors for re-offending. In other words, those more likely to do so and factors that reduced that risk (figure 6.1).

In a smaller cohort study, Maden et al (2006) found that 16% of 843 men and 9% of 116 women re-offended within two years of release from medium secure units in England and Wales between 1st April 1997 and 31st March 1998. The risk factors for re-offending were previous convictions, drug/alcohol dependence, and a history of self-harm. Men were twice as likely to re-offend than women.

While in a follow-up of 209 patients released from the secure unit at Bethlem Royal Hospital, London between October 1980 and October 1994, one-quarter had re-offended of which half were serious offences (Friendship et al 1999).

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[8] Only the following offences were included: sexual, arson, burglary, theft, fraud, deception, robbery, homicide, serious wounding, rape, buggery, and aggravated burglary.

[9] 18% of those were violent offences.

LESS LIKELY TO RE-OFFEND	NORMAL RISK (1)	MORE LIKELY TO RE-OFFEND
Longer time in medium secure unit 0.21 (>24 mths vs <6 mths)		Men 2.3 (vs women)
		Previous convictions 1 - 2.4/>6 - 3.1 (vs 0)
Sectioned under Mental Health Act 0.45		Alcohol dependence 1.3 (vs not)
Older at first court appearance 0.96 (vs younger)		Personality disorder 2.6 (vs schizophrenia)
		Mania 1.9 (vs schizophrenia)
		Psychopathy 2.6 (vs mental illness)
		"Other" disorder 1.4 (vs mental illness)

(Source: Maden 2007)

Figure 6.1 - Risk factors for and against re-offending (based on hazard ratio).

REFERENCES

Coid, J et al (2007) Patients discharged from medium secure forensic psychiatry services: Re-convictions and risk factors British Journal of Psychiatry 190, 223-227

Frienship, C et al (1999) Re-offending patients discharged from a Regional Secure Unit Criminal Behaviour and Mental Health 9, 3, 226-236

Maden, A (2007) A third of men and 15% of women discharged from medium secure forensic psychiatry services in the UK re-offend Evidence-Based Mental Health 10, p128

Maden, A et al (2006) Gender differences in re-offending after discharge from medium-secure units British Journal of Psychiatry 189, 168-172

7. PERVASIVE DEVELOPMENTAL DISORDER AND CRIME

Prisoners have an average IQ slightly below the general population (eg: 92 compared to 100), and are disproportionately represented by individuals with learning disabilities (Brewer 2000). This could mean that these are risk factors for offending or for offending and getting caught. In other words, intelligent criminals remain at large.

One sub-category of learning disabilities is pervasive developmental disorder (PDD) which covers autism and Asperger's syndrome (AS) (together - autism spectrum disorders (ASD)). PDD is characterised by delays and abnormalities in communication and social interactions, and behavioural inflexibility in the main (Tiffin et al 2007).

DSM-IV (APA 1994) diagnoses autistic disorder with a total of six or more items from (1), (2) and (3) with at least two from (1) and one from each of (2) or (3) (table 7.1).

1. Qualitative impairment in social interaction

a. Impairment in multiple non-verbal behaviours
b. Failure to develop peer relationships as age-appropriate
c. Lack of spontaneous seeking to share activities/objects
d. Lack of spontaneous social/emotional reciprocity

2. Qualitative impairment in communication

a. Delay or lack of spoken language (and no compensation by other communication)
b. With language, impaired in conversation
c. Stereotypical/repetitive use of language
d. Lack of make-believe play

3. Restricted repetitive/stereotyped behaviour

a. preoccupation with particular activity
b. Inflexible adherence to non-functional routines
c. Repetitive motor mannerisms
d. Persistent preoccupation with parts of objects

Table 7.1 - DSM-IV criteria for autistic disorder.

Scragg and Shah (1994) estimated a rate of 1.5 - 2.3% (150 - 230 per 10 000) for AS in a special hospital population compared to 0.05 - 0.1% (5 - 10 per 10 000) in the general population (Tiffin et al 2007). A survey of

three Special Hospitals in England confirmed the figure
as 2.4% of patients had AS (NAS 1999). While a Swedish
study of 135 young mentally disordered offenders
estimated a 30% rate for PDD (Siponmaa et al 2001).

Tiffin et al (2007) described a model to show how
the core characteristics of PDD can lead indirectly to
violence among sufferers through a decreased threshold
for violence (figure 7.1).
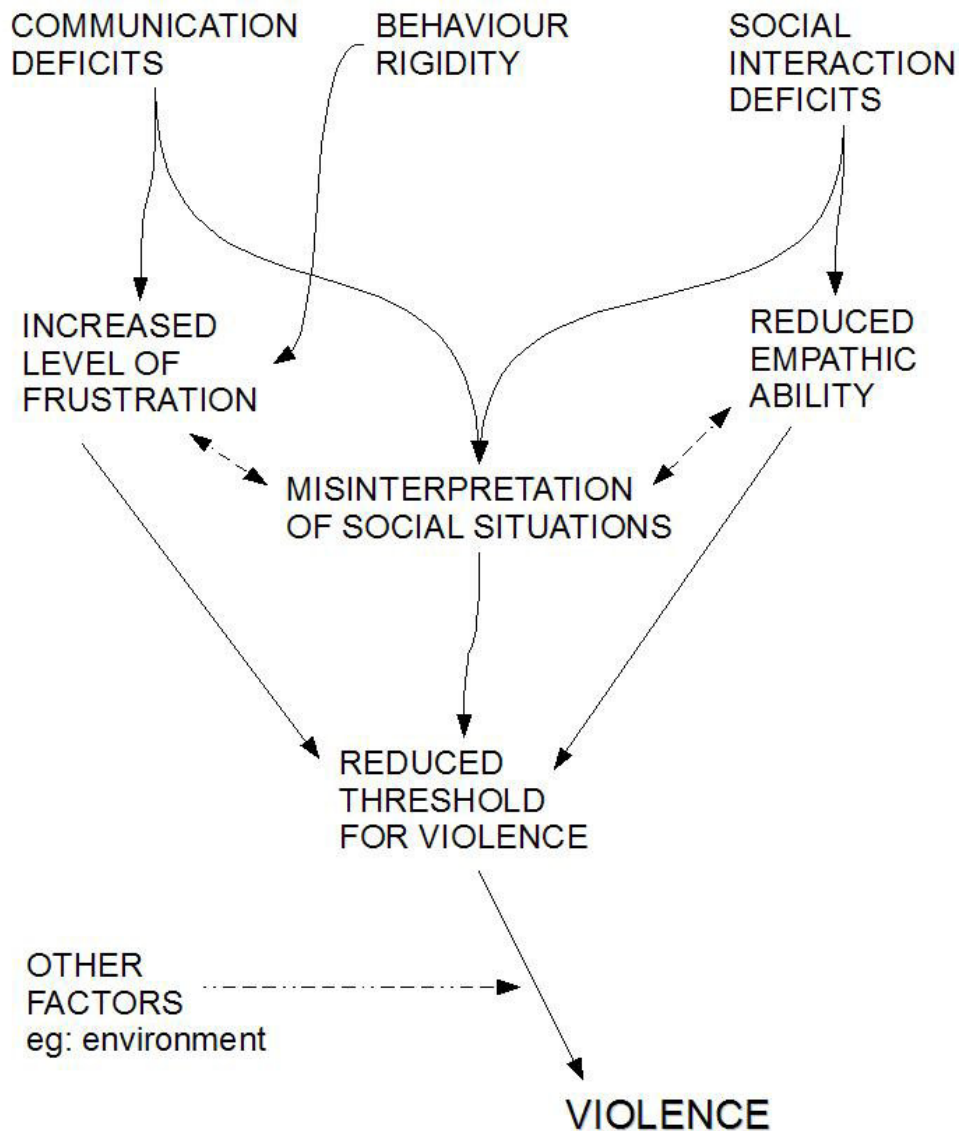
(Based on Figure 2 p34 Tiffin et al 2007)

Figure 7.1 - A model to explain the characteristics of
PDD and violence.

ASPERGER'S SYNDROME AND VIOLENCE

Hans Asperger first described AS in 1944 as "autistic psychopathy". It shares many features with autism, and is sometimes viewed as a mild version of autism (Ghaziuddin et al 1991).

Case studies have been reported of violent behaviour by individuals with AS. For example, Mawson et al (1985) detailed the case of a 44 year-old man who stabbed a girl in the wrist with a screwdriver because he did not like women drivers, and attacked a neighbour with a knife because of their dog barking.

Case studies can distort the perceptions of a behaviour by showing only the "worst causes". With this in mind, Ghaziuddin et al (1991) searched all published papers on AS from 1944 to the date of the study. A total sample of 132 patients were found in the studies, and only three of them (2.7%) had a clear history of violent behaviour [10]. This compares to rates of violent crime of 6-7% in the US general population (Ghaziuddin et al 1991).

More recently, Murphy (2003) compared thirty-nine male patients at Broadmoor High-Security Hospital in England - 13 diagnosed with AS, 13 with schizophrenia, and 13 with personality disorders. All three groups were matched for age.

The patients with AS were significantly less likely to have been violent in their index offences (ie: offence detained for) (8 of 13 receiving low ratings - completely non-violent, minimal or moderate violence) compared to the other two groups. Eleven of thirteen in the personality disorders group had high ratings (moderately severe or severe violence) and nine of the schizophrenia group (figure 7.2). The AS group were also significantly less likely to have a history of alcohol or illicit substance abuse (figure 7.3).

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[10] Violent behaviour was defined as "any act for which the person could be charged for criminal behaviour (such as murder, arson, etc) or which resulted in a substantial physical injury to another person, with or without the intent to do so" (Ghaziuddin et al 1991).
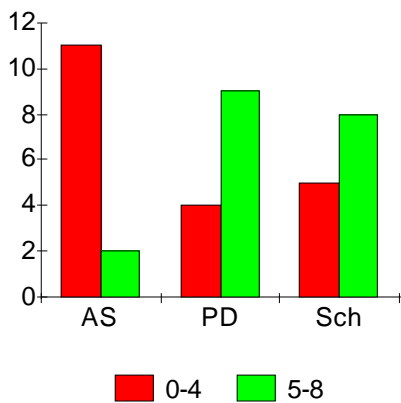
(AS = Asperger's syndrome; PD = personality disorders; Sch = schizophrenia)

(After Murphy 2003)

Figure 7.2 - Number of individuals and violence ratings (0-8) for index offence and offending histories combined.
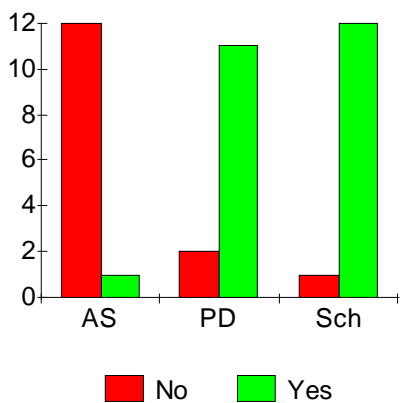
(AS = Asperger's syndrome; PD = personality disorders; Sch = schizophrenia)

(After Murphy 2003)

Figure 7.3 - Number of individuals having history of alcohol or illicit substance abuse.

REFERENCES

APA (1994) Diagnostic and Statistical Manual of Mental Disorders (4th ed) DSM-IV Washington DC: American Psychiatric Association

Brewer, K (2000) Psychology and Crime Oxford: Heinemann

Ghaziuddin, M et al (1991) Violence in Asperger Syndrome, a critique Journal of Autism and Developmental Disorders 21, 3, 349-354

Mawson, D et al (1985) Violence and Asperger's Syndrome British Journal of Psychiatry 147, 566-569

Murphy, D (2003) Admission and cognitive details of male patients diagnosed with Asperger's Syndrome detained in a Specialist Hospital: Comparison with a schizophrenia and personality disorder sample Journal of

Forensic Psychiatry and Psychology 14, 3, 506-524

        NAS (1999) Prevalence of Asperger's Syndrome in Three Special
Hospitals London: National Autistic Society

        Scragg, P & Shah, A (1994) Prevalence of Asperger's syndrome in a
secure hospital British Journal of Psychiatry 165, 679-682

        Siponmaa, L et al (2001) Juvenile and young adult mentally disordered
offenders: The role of child neuropsychiatric disorders Journal of the
American Academy of Psychiatry and the Law 29, 420-426

        Tiffin, P et al (2007) Diagnosing pervasive developmental disorders in
a forensic mental health setting British Journal of Forensic Practice 9, 3,
31-40

8. POST-TRAUMATIC STRESS DISORDER AMONG PRISONERS

Post-Traumatic Stress Disorder (PTSD) (table 8.1) has been diagnosed in many victims of crime (Brewer 2000). But little consideration has been given to PTSD among prisoners, though other mental illnesses have been investigated (Goff et al 2007). The PTSD may be due to the offence, to capture and imprisonment, or to traumatic events in the individual's life before prison (eg: child abuse victim).

The symptoms of PTSD can be divided into eight main groups (Brewer 2001):

- Intrusive - the sufferer cannot stop thinking about the event, though they want to do so. They re-experience flashbacks of the events, all thoughts lead to the event, and they have nightmares about it.

- Avoidant - the sufferer tries to avoid any situation that could remind them of the trauma. But this goes with a numbness of response to anything, and a loss of interest in pleasure.

- Denial - the denial of a problem or the effect of the trauma.

- Feelings - the sufferer feels increasing anxiety, pointlessness, along with shame, guilt or bitterness about surviving a major disaster. There is an overwhelming fear of the event happening again.

- Behaviour - the sufferer is unable to make decisions because of the above feelings, or they can be impulsive (which may be linked to anger and violence). There is irritability, and an inability to concentrate.

- Physical effects - the main physical effect is hyperactivity (ie: always prepared for such another emergency). Normal events become dangerous (eg: crossing the road after a car crash).

- Change in value and beliefs - the sufferer undergoes a major change in their core values. This could include a loss of faith or purpose, or finding faith or purpose (eg: survived because "chosen"). Not surprisingly, there are relationship problems.

- Complicating factors - often PTSD is associated with panic attacks, depression, and alcohol or drug abuse.

Table 8.1 - Symptoms of PTSD.

Goff et al (2007) undertook a systematic literature review of studies on prisoners and PTSD. The focus was upon studies showing PTSD manifest during imprisonment, and four studies met the criteria for inclusion.
A total of 1783 prisoners in four developed countries had been screened for current PTSD. The

prevalence rate varied from 4% to 21% depending upon the criteria used for diagnosis (simple average = 14%). This is higher than the general population, which is seen as around 2-3% for the current prevalence (Goff et al 2007).

The figures for prisoners varied as well because the definition of "current" varied between in last month and in last year. Furthermore, half of the studies were males only [11]. Table 8.2 summarises the differences between the studies.

- Definition of "current" PTSD - in last month, six or twelve months.
- Gender make-up of sample - male only or mixed.
- Size of sample - 202, 213, 566, and 802.
- Diagnostic criteria used - DSM-IIIR, DSM-IV or ICD-10.
- Country of study - Australia, Canada, New Zealand, and USA.
- Who made the diagnosis - eg: forensic psychiatrists or specially PTSD-trained forensic psychologists.

Table 8.2 - Differences between the four studies of PTSD in prisoners.

REFERENCES

Brewer, K (2000) Psychology and Crime Oxford: Heinemann

Brewer, K (2001) Clinical Psychology Oxford: Heinemann

Goff, A et al (2007) Does PTSD occur in sentenced prison population? A systematic literature review Criminal Behaviour and Mental Health 17, 152-162

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[11] PTSD tends to be higher in women generally (Goff et al 2007).

9. ANTI-SOCIAL PERSONALITY AND SEX OFFENDERS

Anti-social personality is characterised by disregard for and violation of the rights of others with little remorse. For such individuals, offending begins earlier in their life, involves a wide variety of crimes (many with violence), and they are more likely to re-offend after imprisonment (Greenall 2007).

Anti-social personality is defined as Anti-Social Personality Disorder (ASPD) (or psychopathy) in DSM-IV (APA 1994) (table 9.1), and often measured by the Psychopathy Checklist (PCL-R) (Hare 2003). The PCL-R contains twenty characteristics which are grouped into "interpersonal/affective features pertaining to the selfish, callous and remorseless use of others" and "a chronically unstable and anti-social lifestyle" (Greenall 2007) (table 9.2).

Three or more from following behaviours:

1. Illegal non-conformity
2. Deceitfulness
3. Impulsivity
4. Irritability and aggression
5. Reckless disregard for safety of self and others
6. Irresponsible behaviour
7. Lack of remorse

Diagnosis also requires evidence of the following:

A. Enduring pattern of these behaviours that deviates markedly from cultural expectations

B. Enduring pattern is inflexible and pervasive across situations

C. Stable and long term patterns of behaviour

D. Not due to substance abuse or general medical condition

E. The individual is distressed by their behaviour

F. Behaviour not caused by another mental disorder

Table 9.1 - DSM IV criteria for Anti-Social Personality Disorder.

There is also a legal definition of "psychopathic disorder" as defined in the Mental Health Act 1983 in England and Wales as "a persistent disorder or disability of mind... which results in abnormally aggressive or seriously irresponsible conduct on the part of the person concerned" (quoted in Greenall 2007). The legal and psychiatric definitions overlap, but are not exactly the same with ASPD being a larger category. For example,

1. Glibness/superficial charm
2. Grandiose sense of self worth
3. Need for stimulation/proneness to boredom
4. Pathological lying
5. Cunning/manipulative
6. Lack of remorse/guilt
7. Shallow affect
8. Callous lack of empathy
9. Parasitic lifestyle
10. Promiscuous sexual behaviour
11. Poor behaviour controls
12. Early behaviour problems
13. Lack of realistic, long term goals
14. Impulsivity
15. Irresponsibility
16. Failure to accept responsibility for own actions
17. Many short term marital relationships
18. Juvenile delinquency
19. Revocation of conditional release
20. Criminal versatility

(Source: Shine and Hobson 1997)

Table 9.2 - Characteristics on PCL-R.

between 38 - 60% of individuals with legally defined
psychopathic disorder are diagnosed with ASPD in
different studies (Greenall 2007) (figure 9.1).
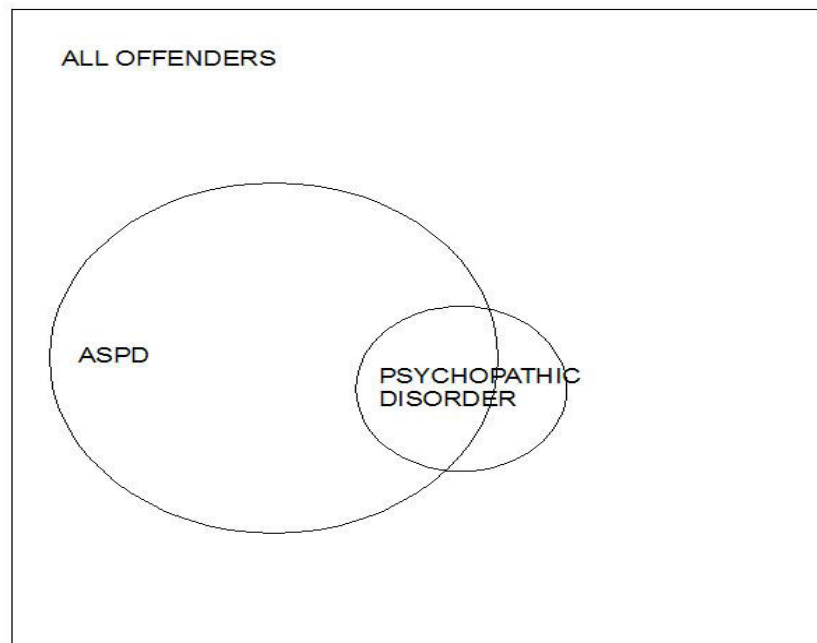
(Not to scale)
(Based on Figure 1 p 25 Greenall 2007)

Figure 9.1 - Representation of overlap between ASPD and
psychopathic disorder.

ANTI-SOCIAL PERSONALITY AND SEX OFFENDING

Porter et al (2000) scored 329 sex offenders on the PCL-R. High scorers victimised adults, children, or both groups whereas child molesters tended to be low scorers. This finding is taken to suggest that sexual offending for many psychopaths is part of their diverse criminal lifestyle rather than a specific motivation as with non-psychopathic sex offenders. For example, Brown and Forth (1997) found, among sixty rapists, that psychopaths were more likely to be motivated by non-sexual factors like opportunism, and general anger. Only 14% had a sexual motive.

Greenall (2007) distinguished three basic sub-groups of (male) sex offenders with anti-social personalities:

i) Those who victimise children only and show "unempathic callousness" towards their victims. They are "less" psychopathic compared to the other groups, and may not show any other criminality.

ii) Those who victimise adults, children, or both, motivated by non-sexual factors. They are "generalist offenders" committing a variety of other crimes.

iii) Those who are motivated by sadistic sexual desire (ie: the inflicting of pain and suffering is part of the sexual experience). They may commit other offences, but there will be a sexual motivation to them.

REFERENCES

APA (1994) Diagnostic and Statistical Manual of Mental Disorders (4th ed) DSM-IV Washington DC: American Psychiatric Association

Brown, S.L & Forth, A.E (1997) Psychopathy ad sexual assault: Static risk factors, emotional pre-cursors, and rapists sub-types Journal of Consulting and Clinical Psychology 65, 848-857

Greenall, P (2007) Sexual offending and anti-social personality: Exploring the links British Journal of Forensic Practice 9, 3, 24-30

Hare, D.R (2003) Hare Psychopathy Checklist-Revised (2nd ed) Toronto: Multi-Health Systems

Porter, S et al (2000) Profiles of psychopathy in incarcerated sexual offenders Criminal Justice and Behaviour 27, 216-233

Shine, J & Hobson, J (1997) Construct validity of the Hare Psychopathy Checklist, Revised, on a Uk prison population Journal of Forensic Psychiatry 8, 3, 546-561

10. THINKING STYLES OF LIFESTYLE CRIMINALS

There are some differences between individuals who commit specific crimes within the context of a "normal life", and those involved in a "criminal lifestyle". Researchers are interested to understand how the latter group, in particular, view the world, and how they make sense of their behaviour in the context of social values. Even if the offender does not see their behaviour as wrong, they cannot help to be aware that society sees it as wrong. How do they make sense of this conflict?

One answer to this question is that such individuals maintain "a hierarchically organised system of cognition" according to the lifestyle model of criminal behaviour (Walters 1990). Structured questionnaires have been developed to measure aspects of this system of cognition. Cognitions include "problem avoidance", "interpersonal hostility", "self-deception", and "denial of harm" (Walters 1995).

Walters (2007) used two of his own construction – the Psychological Inventory of Criminal Thinking Styles (PICTS) (Walters 1995) and the World-View Rating Scale (WVRS) - with 140 male inmates at a medium security prison in the USA. The main offence committed related to drugs.

The PICTS measures eight criminal thinking styles (table 10.1) with eighty items [12], each rated 1-4. This gives a range of 8-32 for each thinking style. In the original sample, Walters (1995) found offenders had a mean score around half marks for each style [13].

The WVRS measures four dimensions of belief system rated on a five-point scale:

- Mechanism-organicism (M-O) - the world is like a machine (cold) or an organism.

- Agenticism-fatalism (A-F) - how much the individual sees life controlled by chance or by themselves.

- Fairness-inequity (F-I) - how much life is viewed as fair.

- Malevolence-benevolence (M-B) - the world is viewed as a harsh place or not.

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[12] Subsequent factor analysis of the eight styles produced two factors - "lack of thoughtfulness" (MO, CO, SN, SO, CI, and DS) and "wilful hostility" (MO, EN, PO, and SN) (Palmer and Hollin 2003).

[13] Palmer and Hollin (2003) found slightly higher mean scores on the styles among English prisoners (as compared to the US prison sample of Walters 1995).

THINKING STYLE	HIGH SCORERS	LOW SCORERS
Mollification (MO)	External blame for their offending behaviour, and rationalise/excuse crimes.	Take responsibility for offending behaviour.
Cut-off (CO)	Low frustration tolerance, and remove deterrents to criminal behaviour with, eg, drugs.	Emotional coping skills.
Entitlement (EN)	Attitude of privilege	Consider others
Power Orientation (PO)	Need to control and have authority over others	Not needed
Sentimental (SN)	Believe self = "good person" despite criminal behaviour	Realistic view of self
Super-optimism (SO)	Believe escape negative consequences of criminal behaviour, like never get caught	Realistic view of risks and consequences
Cognitive Indolence (CI)	Poor critical reasoning skills	Adequate planning skills
Discontinuity (DS)	Inconsistent in thinking and behaviour	Consistent - able to follow things through

(Source: Palmer and Hollin 2003)

Table 10.1 - The eight thinking styles of PICTS.

    Walters (2007) found correlations between aspects of the two questionnaires. The PICTS styles correlated with the Mechanism, Inequity, and Malevolence end of the dimensions in the WRVS, but not with either end of the A-F dimension [14].
    So inmates who view the world as cold, unjust, and filled with individuals who want to harm them had higher levels of criminal thinking.

REFERENCES

    Palmer, E.J & Hollin, C.R (2003) Using the Psychological Inventory of Criminal Thinking Styles with English prisoners Legal and Criminological Psychology 8, 175-187

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[14] For individual thinking styles, significant correlations were found:
- Inequity (F-I) and MO, PO, SN, CI and DS.
- Mechanistic (M-O) and EN, PO, SN, SO, CI, and DS.

Walters, G.D (1990) The Criminal Lifestyle: Patterns of Serious Crime Conduct Newbury Park, CA: Sage

Walters, G.D (1995) The Psychological Inventory of Criminal Thinking Styles. Part I: Reliability, and preliminary validity Criminal Justice and Behaviour 22, 307-325

Walters, G.D (2007) Correlations between the Psychological Inventory of Criminal Thinking Styles and World-View Rating Scale in male federal prisoners Criminal Behaviour and Mental Health 17, 184-188

11. ASSESSING THE BENEFITS OF CHILDHOOD INTERVENTION PROGRAMMES

When looking for common patterns among adult criminals, disruptive behaviour in childhood and adolescence stands out. With such knowledge it may be possible to design intervention programmes with children showing problem behaviours. If so, the next task is to assess the effectiveness of such programmes after many years. It is not possible to know how the children would have developed without intervention except by comparing them to a similar group who did not experience the programme.

For example, in Montreal, Canada, in 1985 an intervention programme was devised to last two years with boys aged 7-9 years old classed as at-risk of future problem behaviour from their current disruptive behaviours (eg: aggression, hyperactivity). The programme involved social skills training for the boys, and training in effective child-rearing for the parents (Tremblay et al 1992). One hundred and seventy-two families agreed to participate, of which 46 undertook the programme (the rest being the control group). A community comparison group classed as low-risk was also used.

Boisjoli et al (2007) followed up these boys at age 24 years. Two key measures were made:

• A high-school diploma as confirmed by the Ministry of Education of Quebec.

• A criminal record for five categories of offence as defined by the Ministry of Public Security of the Province of Quebec. The categories were crimes against the person (eg: homicide), property crime (eg: arson), motor vehicle-related offences (eg: impaired driving), drug and narcotic-related offences, and other Criminal Code offences (eg: prostitution).

The success of the intervention programme should mean evidence of the former and not the latter.
It was found that:

i) Significantly more boys in the intervention group gained a high-school diploma than the control group (45.6% vs 32.2%; p<0.05; odds ratio 2.19), but less than the low-risk comparison group (53.4%).

ii) Significantly less boys in the intervention group had a criminal record than the control group (21.7% vs 32.6%; p = 0.06; odds ratio 0.52), but more than the

low-risk group (16.1%).

Boisjoli et al (2009) concluded that the intervention programme was a partial success: "although boys in the intervention group became similar to their low-risk peers with respect to high-school graduation and criminal activities, the burden of other risk factors (ie: low socio-economic status, inner-city residence) took its toll on the whole sample. It is thus important to acknowledge that a preventive intervention programme, albeit intensive, multi-modal and long-term, has only a limited protective effect under the conditions of chronic socio-familial adversity and environmental risk" (p418).

REFERENCES

Boisjoli, R et al (2007) Impact and clinical significance of a prevention for disruptive boys: Fifteen-year follow-up British Journal of Psychiatry 191, 415-419

Tremblay, R.E et al (1992) Parent and child training to prevent early onset of delinquency: The Montreal longitudinal experimental study. In McCord, J & Tremblay, R.E (eds) Preventing Anti-Social Behaviour: Intervention from Birth Through Adolescence New York: Guilford

12. GENDER AND AGGRESSION: SOME REFLECTIONS

The vast majority of prisoners who commit violent offences are men. Women imprisoned for violence are about 10% of the total (Brewer 2000).

Violent female offenders in the criminal justice system can be viewed from two theoretical positions:

i) "Doubly deviant" - Female offenders are treated harsher than the male equivalents because they have broken not only the law, but also the gender role expectations of society.

ii) Leniency and chivalry - Women are given lighter sentences by male judges because their crimes are not viewed as seriously as when men commit them.

Godfrey et al (2005) used the data from ten English courts between 1880 and 1914 to investigate the issue of gender and sentencing. In the case of common assault, women were less likely to be convicted than men (49% vs 62%), and when convicted, less were given jail sentences (74% vs 88%) compared to being cautioned.

Godfrey et al suggested that the differences in sentencing were more a product of local magistrates wanting to "civilise" lower-class "dangerous men" than to show leniency towards women. In other words, men received harsher penalties and women the "average" rather than men receiving the "average" and women lighter sentences.

From a social constructionist position, gendered discourses construct the perception of behaviour. In other words, the same act by a man or a woman is perceived in a different way by the gender expectations for that behaviour.

Wilcox et al (2006) explored this in interviews with ten care staff of adults with learning disabilities and the aggressive challenging behaviours shown by the clients. Certain discourses emerged from the analysis:

a) Individual pathology discourse - the aggression was constructed as caused by the clients' pathologies; eg: "Jenny" describes autism sufferer "Wesley's" aggressive behaviours as caused by his "learning disability of the brain" (p201).

b) Context discourse - the aggression is constructed as a response to the clients' circumstances (eg: busy and overcrowded dining room).

c) Specific explanations for women's aggression - explanations for the female clients' aggression referred to factors like the effect of PMS in menstrual cycle or

her "manipulative character", in a way not used for them men.

It is generally assumed in everyday life and from research that men are more aggressive than women. It is also usually assumed that this difference has a biological basis. Richardson and Hammock (2007), however, questioned this assumption: "Because of the tendency to see the world in gendered terms, it is easy to overestimate the 'obvious' differences between males and females in the styles or extent of their aggressive behaviour. That is, gender stereotypes may exaggerate differences that are, in fact, minimal" (p418).

Richardson and Hammock (2007) preferred to emphasise the social context of aggression. So to answer the question, "Is gender a meaningful determinant or predictor of aggression?", they say, "It depends". Factors like particular beliefs about aggression (eg: when appropriate/inappropriate), cultural context, the nature of the relationship where the aggression takes place, the type of aggression, and age are all involved. For example, US students reported more direct aggression towards a romantic partner than towards a same- or opposite-sex friend (Richardson and Green 2006). In fact, for Richardson and Hammock (2007), gender role (eg: expectations about masculinity and femininity) "based on cultural expectations, is more predictive of aggression than is gender" (p424).

They concluded: "Are we arguing that the examination of gender and aggression is a waste of time and effort? No, rather we are arguing that an examination of broad or specific social context will provide a much better understanding of aggressive action. When social context differs for males and females, we may find meaningful and important differences. These differing social contexts reflect the real worlds in which men and women live and act" (p424).

REFERENCES

Brewer, K (2000) Psychology and Crime Oxford: Heinemann

Godfrey, B.S et al (2005) Explaining gendered sentencing patterns for violent men and women in the late-Victorian and Edwardian period British Journal of Criminology 45, 696-720

Richardson, D.S & Green, L.R (2006) Direct and indirect aggression: Relationships as social context Journal of Applied Social Psychology 36, 2492-2508

Richardson, D.S & Hammock, G.S (2007) Social context of human aggression: Are we paying too much attention to gender? Aggression and Violent Behaviour 12, 417-426

Wilcox, E et al (2006) "His brain is totally different": An analysis of care-staff explanations of aggressive challenging behaviour and the impact of gendered discourses British Journal of Social Psychology 45, 197-216

13. FALSE CONFESSIONS AND RETRACTIONS OF CHILDHOOD SEXUAL ABUSE

Why do some adults who report experiencing childhood sexual abuse later retract these claims? Were they simply lying in the first place?

Ost et al (2001) preferred to draw the parallel with false confessions where individuals become convinced that they committed the crime, due to strong social pressures at the police station (eg: interviewer's certainty of interviewee's guilt, and the emotional intense long interrogations isolated from social support) [15]. This has been called a coerced-internalised false confession as opposed to a voluntary one (where the individual deliberately lies) and a coerced-compliant false confession made to escape from a stressful situation (Kassin and Wrightsman 1985). In the latter case the individual is fully aware that they did not commit the crime (table 13.1).

	FULLY AWARE OF TRUTH	NOT AWARE OF TRUTH
CHOOSE	Voluntary	Mistaken information
PRESSURISED	Coerced-compliant	Coerced-internalised

Table 13.1 - False confessions and the awareness of doing so.

Ost et al (2001) recruited twenty self-reported retractors, via the British False Memory Society in the UK and the False Memory Syndrome Foundation in the USA, who had recovered memories of childhood sexual abuse, usually during therapy, and later retracted such claims. They completed a detailed questionnaire about the whole process.

Thirteen of the respondents were classed as coerced-internalised as they came to believe that the abuse had occurred prior to retraction. Four respondents were classed as voluntary false confessions as they had had

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[15] Ofshe (1989) listed tactics that occur in all false confessions - repeated displays of certainty about interviewee's guilt; isolation from information that differs with interrogation; lengthy emotional interrogation; and an explanation for why interviewee cannot remember committing the crime (eg: deliberate repressed unpleasant memories). Other tactics of interrogators that occur in some false confessions are reported claims of scientific proof of guilt; reminders of interviewee's past that reduce confidence in own memory (eg: memory black-out in past); tactics designed to induce fear; and pressure to accept the interrogator's explanation of why no memory for crime (Ost et al 2001).

suspicions about abuse before entering therapy, and three respondents confessed to escape the pressure of the therapy situation (coerced-compliant).

A number of the respondents reported tactics by the therapists which mirrored those of police-interview false confessions (table 13.2). For example, 75% reported certainty of the therapist that childhood sexual abuse had occurred. One respondent replied that their therapist actually said that they had "all the symptoms of someone who had been abused" and so "must have been sexually abused" (respondent 19 p559).

TACTIC	TOTAL (20)	VOL (4)	C-C (3)	C-I (13)
Displays of certainty	17	3	3	11
Cutting off contact with other views (eg: warned not to talk to perpetrator)	10	3	3	4
Lengthy/emotional interrogation	4	1	1	2
Incontrovertible proof	3	0	0	3
Diminishing confidence of interviewee	10	2	3	5
Constructing explanation for no memories of events	5	0	2	3
Pressure to accept explanation for no memories	9	2	2	5
Induce fear	2	0	0	2

(Source: Ost et al 2001 tables 1 and 2)

Table 13.2 - Numbers of respondents reporting various tactics by therapists that can produce false confessions.

REFERENCES

Kassin, S.M & Wrightsman, L.S (1985) Confession evidence. In Kassin, S.M & Wrightsman, L.S (eds) The Psychology of Evidence and Trial Procedure London: Sage

Ofshe, R (1989) Coerced confessions: The logic of seemingly irrational action Cultic Studies Journal 6, 1-15

Ost, J et al (2001) False confessions and false memories: A model of understanding retractors' experiences Journal of Forensic Psychiatry and Psychology 12, 3, 549-579

14. CO-WITNESSES TALKING AND MEMORY CONFORMITY

The legal system assumes that the testimony of eye-witnesses will be independent, and it is preferred that witnesses to the same event do not discuss it. Official UK guidelines, for example, say, "Where there is more than one witness, every effort should be made to keep them separate" (quoted in Paterson and Kemp 2006). There is good psychological evidence to keep them separate as Elizabeth Loftus's classic experiments (eg: 1975; table 14.1) showed, post-event information (PEI) can become integrated into the original memory causing contamination.

There is also the concern over "memory conformity". This is where, for example, a confident witness can influence the memory of other witnesses (Gabbert et al 2003).

However, "Discussion among victims or witnesses to a crime is difficult, if not impossible to prevent" (Yarmey 1992 p252 quoted in Paterson and Kemp 2006 p181).

- 150 students were shown a three minute film of a car driving in the countryside followed by an accident. Afterwards the students were questioned about the film, and half were asked misleading questions. For example, "how fast was the car travelling when it passed the barn?" (and there was no barn in the film). One week later, all the students were questioned again about the film: the group with the misleading question were more likely to recall a barn in the film (17.3% to 2.7% for the group without the misleading question).

- Loftus expanded on this experiment to show how misleading questions, and misleading assumptions can influence recall. In a film ending with a collision with a pram pushed by a man, Loftus varied the questions asked. Group 1 had straight questions about the film; group 2 had direct questions about non-existent objects (eg: "did you see the barn?"); and group 3 had presuppositions based on non-existent objects (eg: "did you see the station wagon in front of the barn?") Once more there was a memory test one week later.
  Group 3 recalled non-existent objects most, followed by group 2 and then group 1. For example, 12% of group 3 recalled a barn compared to 8% for group 2, and 2% of group 1.

Table 14.1 - Details of Loftus (1975) and post-event contamination of memory.

Paterson and Kemp (2006) established that co-witnesses do talk in a study with Australian psychology students. The 773 students were asked if they had ever

witnessed a serious event [16] where other witnesses were present. Those of them who had witnessed such an event with others were given a second questionnaire asking more about the event, and whether they had talked to other witnesses about it. The majority of respondents to this second questionnaire (86%) admitted discussing the event with a co-witness.

The main motivation for discussion at the time of the event was to gain information, and emotional support. As time passed, emotional support and advice were the main reasons for such discussions (table 14.2).

24 hours after event	1 week after event	6 months after event
1. Providing information (44%) 2. Emotional support (41) 3. Story-telling (21)	1. Emotional support (47%) 2. Story-telling (29) 3. Advice-seeking/Other purpose (12)	1. Emotional support/Advice-seeking/Story-telling (25%)

(5 choices were offered to respondents)

(After Paterson and Kemp 2006)

Table 14.2 - Top reasons for discussing event with co-witnesses.

MEMORY CONFORMITY

There is anecdotal evidence that memory conformity occurs:

> A striking example of how the memory report
> of one witness may influence that of another
> during discussion comes from an analysis of
> witness evidence in the Oklahoma bombing incident
> in 1995. The key evidence in this case came from
> interviews with witnesses who worked at Elliot's
> Body Shop where Timothy McVeigh rented the truck
> used in the bombing. McVeigh was arrested for the
> mass murder but there was a question as to who, if
> anybody, was his accomplice. Three witnesses saw
> McVeigh when he hired the truck, one of whom claimed
> he was accompanied by a second man. Initially, the
> other witnesses gave no description of this accomplice;

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[16] A list was provided: homicide, attempted murder, manslaughter, physical assault, sexual assault, event/accident causing serious injury/death, abduction, property vandalism, breaking and entering, motor vehicle theft, fraud, blackmail, or extortion, arson, robbery, or a similar type of event.

however, later they too claimed to remember
details of this second person. Months later,
the first witness confessed that he may have
been recalling another customer. So, why did
all three witnesses provide a description of an
accomplice when McVeigh had actually entered
the shop alone? It is likely that the confident
witness unintentionally influenced the others,
leading them to report that they also recalled
this second man.. (Gabbert et al 2003 p533).

In terms of experimental evidence of memory
conformity, Wright et al (2000) presented each member of
a pair of participants with a slightly different story
book showing a crime - one version showed an accomplice
and the other not. In an independent memory test, in
nineteen of twenty pairs both members recalled correctly
the presence of an accomplice or not. Then the pairs were
allowed to talk about the storybooks, and in the
subsequent memory test, only in fifteen pairs were both
members accurate. Memory conformity had reduced the
accuracy of the individual witnesses.

In a similar experiment, Gabbert et al (2003)
recruited sixty students at the University of Aberdeen
and sixty adults over the age of 60 years old from the
local community in Scotland.
Each participant watched alone a ninety-second video
of a girl entering an unoccupied university office to
return a borrowed book. Then half the participants were
asked to discuss the video with another viewer. In fact,
there were two versions of the video with slight
differences shown to each pair member. "For example, from
perspective 'A' (but not perspective B) it is possible to
read the title of the book that the girl is carrying, and
also observe that she throws a note into a dustbin when
leaving the room. From perspective 'B' (but not
perspective A) the girl is seen checking the time on her
watch, as well as committing an opportunistic crime
(sliding a £10 note out of a wallet and putting it into
her own pocket). All other actions and events that occur
are common to both perspectives" (Gabbert et al 2003
p535).
Later a memory test checked for recall of the video,
and for information only seen by the other viewer (ie:
PEI).
Twenty of the thirty students and 22 of the thirty
older adults (total 71%) recalled information that they
could have only known from talking to the other witness
(figure 14.1).
Viewers of "A" saw no theft, and if they believed
the girl was guilty of theft it was from the co-
witnesses' information. More viewers of video "A" (total
18; 60%) believed the girl guilty than (total 12). This

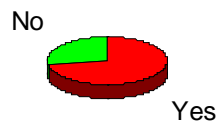experiment showed clearly the negative side of co-witnesses talking.

No

Yes

Figure 14.1 - A pie-chart showing the numbers of witnesses recalling information (Yes) or not (No) that only their co-witness had seen.

BENEFITS OF CO-WITNESSES TALKING

Co-witnesses talking can have a benefit is some situations in improving common recall through a process called collaborative remembering.

For example, Basden et al (2000) asked 240 psychology students in California to recall a list of ninety words divided into six categories. Each person was tested alone, in a two- or four-person group, and then alone again.

Group recall was better than individual recall. On the final individual recall test former members of four-person groups recalled more than former two-person group members.

However, collaborative inhibition can occur if the group recalls information not in the original source.

REFERENCES

Basden, B.H et al (2000) Costs and benefits of collaborative remembering Applied Cognitive Psychology 14, 497-507

Gabbert, F et al (2003) Memory conformity: Can eye-witnesses influence each other's memories for an event? Applied Cognitive Psychology 17, 533-543

Loftus, E.F (1975) Leading questions and eye-witness report Cognitive Psychology 7, 560-572

Paterson, H.M & Kemp, R.I (2006) Co-witnesses talk: A survey of eye-witness discussion Psychology, Crime and Law 12, 2, 181-191

Wright, D.B et al (2000) Memory conformity: Exploring misinformation effects when presented by another person British Journal of Psychology 91, 189-202

Yarmey, A.D (1992) The effects of dyadic discussion on ear-witness recall Basic and Applied Social Psychology 13, 251-263

15. THE POLICE IN SOCIETY AND HOW THEY SEE THEMSELVES

Police forces exist in modern societies in order to maintain law and order. But this is done in a variety of ways depending on the country. This article contains two different examples of police behaviour, and particularly how police officers see themselves in their society. The first example is the impression management of their image by constabularies in England and Wales on their websites. The other example relates to police shooting of criminals in India.

POLICE WEBSITES IN ENGLAND AND WALES

In England and Wales the police are faced with demands from many "stakeholders", both external (eg: general public, politicians) and internal (eg: police officers themselves) which leads to the pressure to establish legitimacy. "Legitimacy, defined as a perception that some thing, individual, or event is desirable, proper or appropriate within a given social context, is attributed to those organisations that satisfy stakeholders' rational calculations based on self-interest, conform to their understandings of what is good and proper, and/or offer explanations that reduce their anxieties... A legitimacy deficit may mean that an organisation is susceptible to claims that it is negligent, irrational or (at least in its current form) unnecessary, which can result in it incurring substantial costs" (Sillince and Brown 2009 p1830).

Sillince and Brown (2009) analysed the official websites of forty-three constabularies in England and Wales in 2005-6 to see how they established their legitimacy. A number of themes emerged from the analysis which showed how the police "work systematically to manipulate public opinion and significant institutional actors by disseminating certain kinds of conflicting information and arguments" (p1846).

i) "We are effective/we are ineffective" - The websites gave details, usually statistical, of the constabularies' effectiveness in reducing crime in their area, but, at the same time, admitted their ineffectiveness as crime still existed. it seemed that "contrasting claims to be both effective and ineffective seemed designed to elicit audience understandings that they should be afraid of crime, but reassured that the police were available to protect, advise and support them" (p1839). But ineffectiveness also allowed the

constabularies to argue for more resources, and for police assistance in unsolved crimes.

The self-interest argument of more resources was there in both aspects of this narrative - "We deserve to be resourced and supported by stakeholders because we are successful" and "We require additional resources and more assistance because we need to be more successful" (p1846).

ii) "We are part of the community/we are apart from the community" - Claims were made on the websites that the police were part of the community (eg: in partnership activities), but separate because of their mission to solve crime. This meant that "constabularies could position themselves as charged with distinctive responsibilities that marked them off as separate but also as seeking reasonably to enlist the community's support" (p1841).

The narrative called for public support in both cases - "We deserve support because we are all elements of a broader whole in which we have a stake" and "We deserve support because we have specialist knowledge, skills, equipment and experience which mean that we are uniquely suited to the tasks we perform" (p1846).

iii) "We are progressive/we are not progressive" - The websites contained claims of constabularies being progressive (eg: aware of ethnic minority concerns) and not progressive (eg: not having many ethnic minority officers). These conflicts were presented as being "no more so than the communities that they policed" (p1843). Overall, there was a narrative of improvement here.

The idea of progressive/not progressive was another call for support from the public - "We deserve support because we are a 'good' institution that treats people fairly and equitably" and "We deserve support because we reflect the communities that we serve and incorporate their prejudices" (p1846).

The police websites were a form of impression management where the constabularies presented themselves in a particular way, especially to the public. In England and Wales today, despite the police being there to enforce law and order, they are also an organisation that requires public support like any other public body.

POLICE ENCOUNTERS IN INDIA

Belur (2010) interviewed 38 police officers in India about "encounters" - "a spontaneous, unplanned 'shoot-out' between the police and alleged criminals, in which the criminal is usually killed, with few or no police

injuries" (p321).

Officers distinguished between "genuine" and "fake" encounters. Genuine encounters "featured 'hardcore' criminals who had notorious criminal records; occurred in the presence of the public or in locations with high visibility; and/or occurred while chasing a dangerous criminal, or while responding to an actual crime in progress. Such an encounter was 'well managed', namely the legal requirements were fulfilled, the paperwork was in order and no messy incriminating evidence was left unaccounted for. Additionally, it was an act committed in good faith, with good intentions, and in the public interest" (p322).

While fake encounters "involved a person with no criminal history; resulted from a mistaken identification of the person killed; employed blatantly excessive use of force; emerged from a 'catch-and-kill' policy, namely the alleged criminal is picked up by a unit of plain-clothes officers, taken to a lonely spot late at night and executed; and/or resulted from bad faith, malice or corruption of the officer concerned" (p322).

The use of police violence and deadly force has a number of main types of explanation which emerged from the interviews (Belur 2010).

1. Sociological and structural reasons - These explanations attempted to answer the question, "why are they allowed to do it?".

a) Elite-driven fear of crime - police violence increases in proportion to the elite's fear of disorder (Box 1983).

b) Increasing social inequalities.

c) Corruption including political interference.

d) Lack of faith in the courts.

2. Socio-cultural reasons.

a) Impact of colonial legacy - One police officer suggested that it was an image issue rather than a "real" problem: "From the times of the British, the police were seen as oppressors, and that image is fixed in the minds of the people. So once the image was spoilt, till the end the police image is tarnished... But even with today's improved and reformed police, even when officers help and co-operate with the common man, help them... the same image continues" (p329).

b) Religious beliefs - eg: belief in justice (ie:

shootings as execution of such justice).

c) Media impact - A belief that the media approved of encounters - eg: the image of "thin khaki line" perceived as propagated by journalists.

d) Public reaction - The assumption by officers of public approval, one officer said, "General public don't support any kind of encounter deaths if they feel they are false or fake or that the person has been framed. But when there are genuine instances, which are 99.9% cases, they support action by the police" (p331).

3. Police organisational and sub-cultural reasons.

a) External factors - eg: frustrations about the overloaded criminal justice system, and limited accountability of the police.

b) Internal bureaucratic factors - Organisational support for encounters, as an inspector said, "Our force believes that they are into encounters, I think, irrespective of the government support. There is no alternative to control crime in an effective manner" (p334).

4. Individual-psychological reasons.

a) "Rotten apple theory" - This view states that "the attitudes and personal characteristics of some officers make them prone to use more violence than others, and it rests on the assumption that a majority of police officers are not violence-prone, but work within the limitations of law" (Belur 2010 p335).

b) "Fascist pigs theory" - This is the assumption that only certain people join the police force, and they are individuals who are violence-prone.

Belur (2010) concluded that the explanation for police encounters in India is complex and multi-dimensional. It can be seen as "the result of the interaction between society's demand that the police control crime (social, structural and cultural factors), the interests of the police organisation to be seen as being effective (organisational, cultural factors), and inclinations of certain officers to employ deadly force more readily than others (individual, psychological factors) that result in encounters" (p337). But India is changing:

The police use of deadly force in Mumbai
has been widely accepted, without question,
as the correct and effective response to
controlling increased organized crime. However,
encounters that were once prized and acknowledged
as individual and organizational achievements
(during the period under study, 1993-2003) are
now, gradually, being questioned; are they
employed as a last resort to control crime or
are other motives, like corruption and self-
interest/aggrandisement, dominating? (Belur 2010 p337).

REFERENCES

Belur, J (2010) Why do police use deadly force? British Journal of Criminology 50, 320-341

Box, S (1983) Power, Crime, and Mystification London: Routledge

Sillince, J.A.A & Brown, D (2009) Multiple organisational identities and legitimacy: The rhetoric of police websites Human Relations 62, 12, 1829-1856

16. HOMICIDE FOLLOWED BY SUICIDE IN ENGLAND AND WALES

"Homicide followed by suicide" (HFBS) is the unique combination where an individual kills another person(s) and then themselves soon afterwards. It is a rare event in England and Wales with 29 cases per year (a rate of 0.06 per 100 000 population), and similarly around the world (up to a rate of 0.55 in Miama, Florida, USA) (Flynn et al 2009).

What are the characteristics of such events? Is there mental illness involved? Flynn et al (2009) investigated these questions using data of all HFBS [17] in England and Wales between 1st April 1996 and 31st March 2005 as collated by the National Confidential Inquiry into Suicide and Homicide by People with Mental Illness.

There were 203 perpetrators [18], of which 86% were male. The most common homicide victim was the current or former romantic partner (65% of cases) followed by children (19%). Only four cases involved strangers (2%). Men were more likely to kill partners, and women more often their own children [19].

When compared to 5096 individuals convicted of homicide-only over the same period, the majority of perpetrators in both groups were male, but the HFBS perpetrators were significantly older (median age: 41 vs 28 years). While there were some differences (eg: method used) and some similarities (eg: median age) when compared to suicide-only perpetrators (table 16.1).

Univariate statistical analysis showed increased risks for a homicide becoming a HFBS depending on the victim, and the method used (figure 16.1).

Where motives can be ascertained from the official records (63% of cases), rage was most common, followed by jealousy or revenge, and mercy killing.

Only 10% of perpetrators had been in contact with mental health services in their lives, though that does not mean the other perpetrators did not suffer from mental illness. Personality disorders and affective disorder (eg: depression) were the most common diagnoses given.

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[17] HFBS was defined as the homicide perpetrator committing suicide within three days of the murder (Barraclough and Harris 2002).
[18] There were, in fact, 300 cases, but 48 were viewed as unconfirmed suicides, and 49 individuals died after conviction.
[19] Killing own children is filicide, and is sometimes viewed as "extended suicide", where the killing of the child is taken as an extension of the perpetrator's suicide (Palermo 1994).

	HFBS	Homicide-only	Suicide-only
Male (%)	86	90	75
Median age (yrs)	41	28	42
Victim (%): Spouse Acquaintance Stranger	65 8 2	22 38 22	/
Homicide method (%): Sharp instrument Strangulation Firearms	23 21 16	38 7 7	/
Suicide method (%): Hanging Self-poisoning Firearms	29 7 16	/	36 27 2

Table 16.1 - Comparison of HFBS, homicide-only and suicide-only perpetrators on selected variables.

```
      0
Greater
risk
      2x

            method = firearm; strangulation

      4x    victim = son/daughter; ex-romantic partner


      6x    victim = current romantic partner

            multiple victims

      8x
```
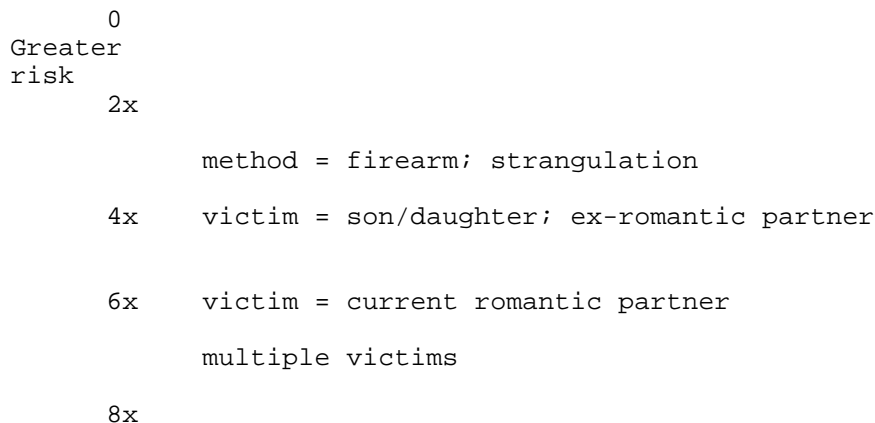
Figure 16.1 - Increased risks for homicide becoming HFBS.

REFERENCES

Barraclough, B & Harris, E.C (2002) Suicide preceded by murder: The epidemiology of homicide-suicide in England and Wales 1998-92 Psychological Medicine 32, 577-584

Flynn, S et al (2009) Homicide followed by suicide: A cross-sectional study Journal of Forensic Psychiatry and Psychology 20, 2, 306-321

Palermo, G.B (1994) Murder-suicide: An extended suicide International Journal of Offender Therapy and Comparative Criminology 38, 205-214

17. FINGERPRINT EXPERTS NOT MEANING TO BE SUBJECTIVE

Fingerprint evidence is crucial in many trials. Fingerprint experts will match two prints by comparing their appearance. This is "cognitively challenging because no two fingerprint impressions, even from the same source finger, are ever identical; along with inter-source differences, there are also intra-source variations. Due to the elasticity of the skin, the pressure applied, the material on which the prints are left, the method of lifting the prints, and a variety of other factors, visual differences are always introduced, even in the best and most ideal cases. And in the real world of forensics, things are far from ideal; the marks left at a crime scene (the latent prints) usually are partial and distorted and include noise" (Dror and Cole 2010 p161).

It is important for such experts to be objective and unbiased in their decision-making. But they are not because human decision-making is a subjective process.

For the obvious reason that defence lawyers will exploit any doubt, fingerprint experts have "long been touted as infallible": "On the rare occasions in which errors are found, individual examiners are blamed, attributing the error to incompetence, negligence, or fraud, insisting that, in the hands of competent experts, errors are 'virtually impossible'" (Dror and Cole 2010 p161).

It is not about false information deliberately given by experts, but about the "honest liar". This is where individuals believe their information to be honest, but it is not. "Bias and other cognitive influences unconsciously affect hard-working, honest, and dedicated forensic experts, thus creeping in without the experts' awareness" (Dror and Cole 2010 p162).

Dror and Rosenthal (2008) pointed out:

> Whereas the possible lack of reliability of judgments in everyday life may be acceptable (and even warranted), the lack of reliability in expert domains, such as medicine and the criminal justice system, is especially concerning. For example, the notion that whether a suspect is found guilty or innocent actually depends on the specific judge they face, is problematic and unacceptable in principle. We require that expert judges rule on the actual innocence or guilt of the suspect, or at the very least on the evidence for their guilt. The possibility that some judges would find a suspect innocent whereas other judges would find the same suspect guilty stands in sharp contradiction to the basic foundations of the

criminal justice system (p900).

Mistakes in fingerprint matching have implications for individuals within the criminal justice system. For example, Brandon Mayfield (an attorney in Oregon, USA) arrested after the 2004 Madrid terrorist bombing. Despite the corroboration of three FBI experts, it was later found that it was not his fingerprint at the scene of the crime (Dror and Cole 2010) [20].

STUDYING THE EXPERTS

Dror and Rosenthal (2008) listed the key issues for experts:

1. Between-expert reliability.

Do two different experts make the same judgment for the same evidence? An answer "no" to this question is due to individual differences.

2. Within-expert reliability.

Does the expert make the same judgment on the evidence presented at two different times? "It would be more than troubling if the same medical expert would sometimes recommend a serious and dangerous operation and at other times would recommend against it, when judging an identical situation" (Dror and Rosenthal 2008 p900).

Dror and Rosenthal (2008) tested six fingerprint experts with eight pairs of prints each from real criminal cases that they had been involved in. There are four possible scenarios - two showing reliability and two not (figure 17.1). The experts were not aware that they were part of a study at that particular time, though they had given their consent previously.

	BEFORE:	
	MATCH	NO MATCH
NOW:		
MATCH	reliable	not reliable
NO MATCH	not reliable	reliable

Figure 17.1 - Four possible scenarios.

Out of a total of 47 pairs of fingerprints (as one decision was omitted), forty-two were the same decision on both occasions (89%) (19 match and 23 no match both times). "That is far better than chance.. but still very far from what is the accepted and recognised norm of fingerprint expert performance" (Dror and Rosenthal 2008 p902).

But the total hides individual differences - three experts were 100% consistent, two experts scored seven out of eight, and the other expert only five.

3. Biasability.

Are experts influenced by extraneous factors in their decision-making, like knowing if the suspect has already confessed?

Dror and Rosenthal (2008) manipulated the information given to the six experts on four of their pairs of fingerprints - either "the suspect has an alibi" (to encourage a non-match) or "the suspect confessed to the crime" (to encourage a match). Three of the six experts were influenced by the biasing information.

Five other experts were tested on a single match. Four of them changed their earlier judgment based on the biasing information given.

EXAMPLES OF TYPES OF RESEARCH METHOD USED

There are a number of different types of research studies on matching fingerprints with an example of each (Dror and Cole 2010):

i) Studies using general students.

Dror et al (2005) presented ninety-six pairs of fingerprints to twenty-seven participants to match (half were clearly or match or not, and half were ambiguous). Before the matching, participants were presented with details of the supposed crime scenes - either low-emotional context (stolen property), high-emotional context (brutal attack), or no details (control group). When the print pairs were clearly matched or not the emotional context had no effect on accuracy, but with the ambiguous prints the high-emotional context produced more matches (58% vs 49% in the low-emotional context and 47% in control group).

ii) Studies using forensic science studies.

Schiffer and Champod (2007) found no difference in number of details of fingerprints noticed between a minor burglary scenario (low-emotional context) and a terrorism scenario (high-emotional context).

iii) Studies using experts (who knew they were being tested).

Langenburg et al (2009) presented experts and novices with pairs of prints along with no information, the decision reached by another expert, or the decision of an internationally renowned expert. The extra knowledge influenced all participants, but more so for the novices, and the experts in the direction of non-match.

iv) Studies using experts (who did not know they were being tested).

Dror and Charlton (2006) presented five experts with a pair of prints supposedly from the Brandon Mayfield case. This was after the FBI had formally apologised to him. In fact, the experts were given a pair of prints from a real criminal case in the past that they had worked on and matched the prints. Four of the experts changed to non-match in this experiment.

Dror and Cole (2010) concluded: "It is clear that experts in forensic identification have special abilities and cognitive processes specialising in pattern recognition but that these processes are also vulnerable to error" (pp165-166). Fingerprint experts are not corrupt, insincere, or incompetent if they make judgment mistakes, they are human. Human decision-making is a process influenced by context among other factors.

REFERENCES

Dror, I.E & Charlton, D (2006) Why experts make errors Journal of Forensic Identification 56, 600-616

Dror, I.E & Cole, S.A (2010) The vision in "blind" justice: Expert perception, judgment, and visual cognition in forensic pattern recognition Psychonomic Bulletin and Review 17, 2, 161-167

Dror, I & Rosenthal, R (2008) Meta-analytically quantifying reliability and biasability of forensic experts Journal of Forensic Science 53, 4, 900-903

Dror, I.E et al (2005) When emotions get the better of us: The effect of contextual top-down processing on matching fingerprints Applied Cognitive

Psychology 19, 799-809

Langenburg, G et al (2009) Testing for potential contextual bias effects during the verification stage of the ACE-V methodology when conducting fingerprint comparisons Journal of Forensic Science 54, 571-582

Schiffer, B & Champod, C (2007) The potential (negative) influence of observational bias at the analysis stage of fingerprint individualisation Forensic Science International 167, 116-120

18. USING REAL-LIFE DATA IN STUDYING CHILD WITNESSES IN THE CRIMINAL JUSTICE SYSTEM

Much research in forensic and criminal psychology is based on simulations (eg: mock juries), partly through the convenience of using students, and partly through the legal problems of studying real-life situations (eg: jury deliberations cannot be studied in England and Wales). It is possible to study child witnesses in simulations, but it is better to study them in the criminal justice system.

In England and Wales, interviews with child witnesses are video-recorded as "good practice" (Home Office 1992). This gives researchers a resource to study that does not interfere with the criminal justice process.

Westcott and Kynan (2006) gained permission to analyse seventy transcripts from such interviews, thereby maintaining the privacy of the witnesses. The interviews involved children 4-12 years old and various allegations of sexual abuse. Most of the interviewees were police officers, and were trained to interview child witnesses.

Each transcript was coded for a number of factors including problematic interviewer behaviours like distorting what the child said, excessive familiarity (eg: use of "sweetheart" and "darling"), or offering bribes to the children to encourage compliance.

The following findings emerged from the analysis:

i) Distortions - 51% of interviews including at least one substantive example. For example, the child said, "He does it all day", and the interviewer paraphrased it to "So it happens for a long time".

ii) Over-familiarity - twelve interviewers were judged to be over-familiar.

iii) Inappropriate "why" questions - eg: 40% of interviewers asked the children to reflect on the perpetrator's motives.

iv) Showing disbelief and scepticism to the child - Five interviewers implied this.

v) Comment on character of the perpetrator - Eight interviewers made inappropriate comments about the interviewer as bad or naughty.

vi) Offering bribes for co-operation - six children were offered a toy or treat, for example, if they answered the questions.

vii) Not responding to the child's needs - twelve interviewers were judged to respond to the child's needs appropriately on all occasions (eg: have a break to go to toilet).

Westcott and Kynan felt that these behaviours were reflections of the "tensions between the needs of the criminal investigation and the child's welfare". A second interviewer in the room could monitor these problems.

Furthermore, Westcott and Kynan said, interviewing children requires "exceptional skills, and, in the police profession at least, these skills may not always be appropriately recognised and valued". Overall, the researchers saw these as issues for training, which simulations would not be able to highlight as well.

REFERENCES

Home Office (1992) Memorandum of Good Practice on Video Recorded Interviews with Child Witnesses for Criminal Proceedings London: HMSO

Westcott, H.L & Kynan, S (2006) Interviewer practice in investigative interviews for suspected child sexual abuse Psychology, Crime and Law 12, 4, 367-382

19. TYPES OF FINANCIAL CRIME

Gottschalk (2010) defined financial crime as "crime against property, involving the unlawful conversion of property belonging to another to one's own personal use and benefit" (p441). While Pickett and Pickett (2002) preferred to define it as "the use of deception for illegal gain, normally involving breach of trust, and some concealment of the true nature of the activities".

Financial crime and fraud are not the same thing, though they often go together. White-collar crime is also similar (Gottschalk 2010). They all involve deceit, a breach of trust, are often concealed, are intentional, produce losses for some individual or organisation (ie: not victimless), and have an appearance of outward respectability (Pickett and Pickett 2002).

Gottschalk (2010), wanting to clarify the different types of financial crime, produced the following categories and sub-categories:

1. Corruption.

This is "the giving, requesting, receiving, or accepting of an improper advantage related to a position, office, or assignment" (p443). The individual has to be in a particular position or job in order to commit these crimes.

a) Kickbacks - an employee with influence over who is awarded a particular contract can obtain a "reward" for helping a prospective contractor.

b) Bribery - paid to anyone in a position of influence (eg: customs officer to overlook certain goods coming into the country).

c) Extortion - blackmail-based crimes.

d) Embezzlement - eg: "skimming off the top".

2. Fraud.

This is "an intentional perversion of truth for the purpose of inducing another in reliance upon it to part with some valuable thing belonging to him or to surrender a legal right" (p442). This includes [21]:

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[21] Gottschalk also included financial statement fraud, sundry frauds, occupational fraud, advance fee fraud, financial fraud, subsidy fraud, and hedge fund fraud.

a) Consumer fraud - this can include where the consumer is victim like being encouraged to pay in advance, say, over the Internet, for goods that do not arrive or are not as specified. Or it can mean where consumers attempt the fraud (eg: misrepresentation of facts on an insurance claim).

b) Credit card fraud - securing goods or services using a stolen credit card. Credit card details can be obtained by theft of the card from the owner, theft of card in transit from credit card company to customer, or details of card somehow (eg: waiter at restaurant keeps details after customer uses card).

c) External fraud - eg: a contractor gaining advance payment for work that will not be done.

d) Inventory theft - employees stealing from a company.

e) Basic company fraud - eg: use of company equipment for unauthorised/private purposes.

f) Click fraud - on the Internet advertisers pay for every click on their website link on another website (pay-per-click online advertising). Individuals or software programmes can click links endlessly to gain payments.

g) Cheque fraud - misuse of a company's cheques.

h) Identity fraud - obtaining goods, services, or loans by using another person's identity.

i) Mortgage fraud - giving false information about income to obtain the mortgage.

3. Theft.

The stealing of another's possessions or money, intellectual property, or identity.

4. Manipulation.

This is where an adjustment is made to a process which allows the individual or company to gain; eg: "ghost employee" (money as supposed wages for such an employee is diverted to a secret account).
Other examples include counterfeiting currency,

money laundering, and insider trading [22].

REFERENCES

Gottschalk, P (2010) Categories of financial crime Journal of Financial Crime 17, 4, 441-458

Pickett, K.H.S & Pickett, J.M (2002) Financial Crime Investigation and Control New York: Wiley

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[22] Gottschalk also includes bid rigging, inflated invoices, false expenses claims, misappropriation schemes, computer-related/cyber crimes, income tax crime, bankruptcy crime, and competition crime.

20. TRAFFICKING OF WOMEN FOR SEXUAL EXPLOITATION

The United Nations estimate that four million people a year are trafficked around the world, of which a number of those will be women for sexual exploitation (Kim et al 2009).

In many cases, the female victims of trafficking for sexual exploitation are in highly vulnerable parts of the world, like parts of south-east Asia. For example, Kim et al (2009) telephone interviewed seventy-seven North Korean women in shelters and safe-houses in Thailand and China who had been trafficked to China.

From the interviews, a picture was formed of this little known movement of women to China. The majority of traffickers are young men, but women (sometimes former victims) may be recruiters. Those involved are Han Chinese, Korean Chinese (Koreans who are Chinese citizens), and North Koreans. What started as opportunism on the China/North Korea border by Korean Chinese living there [23], has now become professionally organised with the growing number of defectors [24] escaping the harsh conditions in North Korea. The professional aspect means the deliberate movement of women now.

The North Korean women become victims through forced kidnapping of those crossing the border for food with the intention of returning, and voluntary consent under deception (eg: promise of temporary employment or a good marriage in China [25]). In rural China there is a shortage of women, and trafficked women do not need a bride fee which fuels the demand as does the sex industry in the cities.

The trafficking network has three distinctive stages:

i) Initial recruitment and border crossing - "In one case, an interviewee met a Korean Chinese businessman in the black market where she was selling various items. The man looked affluent and purchased some of her goods. One day, the man invited the interviewee for a dinner and solicited her to go to China to make money. He offered to help her to cross the border and to find a decent job"

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[23] "Ordinary Korean Chinese farmers and business peddlers were waiting for the women crossing the border behind bushes and kidnapped or offered marriage to them. If the women refused the marriage, those Korean Chinese threatened to report these women to the Chinese police or sell them to individual buyers" (Kim et al 2009 p159).

[24] It is illegal to leave North Korea and such behaviour is viewed as treason/defection by the authorities.

[25] Meaker (2002) called this "deceptive coercion" where women voluntarily travel believing that they will be working in a non-sex industry job.

(p163).

    ii) Intermediate traffickers - Across the border,
the women are sold and re-sold until they reach the
destination. The reality of the situation should not be
forgotten. "The methods used to control the trafficked
women are rape and physical, or psychological abuse. The
traffickers fear being detected by the Chinese police due
to the victims crying-out or resisting. To make them
comply with the traffickers victims are raped and
physically assaulted. Also, the traffickers continue to
deceive the women with false promises. A victim testified
that she was raped repeatedly by intermediate traffickers
whenever she was sold to a new broker. Another
interviewee told similar story of successive rapes by
different intermediate traffickers in different
trafficking stages" (p164).

    iii) Final buyers and destination - For those sold
into the sex industry, the harsh reality is revealed by
one story. "Two traffickers who bought me from the North
Korean trafficker and took me to a remote country side by
taxi. When I arrived there about 30 to 40 dirty and old
Chinese men were gathered and they began to rape me one
by one all night... The very following afternoon, the
trafficker took me to a city and sold me to a pimp for
prostitution. There, I wasn't able to wear any clothing
in order to get customers" (quoted in Kim et al 2009
p165). Cyber-sex can be the "better" option as there is
no physical contact with customers.
    The women sold as brides to rural Chinese men are
also treated badly. "They are frequently beaten,
confined, and threatened. An interviewee was sold to a
physically disabled Chinese man. The men and his family
treated the interviewee like a slave and forced her to
work all day long on a farm while the men and his family
watched over her. At night, she had to have sex with the
man" (pp164-165).

    iv) Recycling - Approximately 80% of women who
escape husbands or other owners end up in the sex
industry (again).

    Though the situation may not necessarily be any
better, there are other cases where the women are at
least aware beforehand that they will be working in the
sex industry. For example, the debt-contract worker from
Thailand who has her air fare and accommodation in
Australia paid for. Economic necessity is, as always, the
major motivator for such contracts (Meaker 2002).
"Although the vast majority of Thai people look down on
the work, many of them understand the realities of the
sex trade, particularly the financial benefits its often

provides" (Mix 2002 pp98-99).

The dream of marrying a rich foreigner through the work is behind some Thai women in the se industry in Germany (Ruenkaew 2002).

While Lisborg (2002) described three ways that Thai women travel to the Danish sex industry:

i) Returning with a tourist - usually the women are already working in the sex industry in Thailand (Bangkok).

ii) Migration through trans-national social networks - eg: friends in Denmark invite them.

iii) Migration through agents and communication networks - This tends to be the harsher migration experience, and it is more likely for the women to become victims of traffickers.

REFERENCES

Kim, E et al (2009) Cross border North Korean women trafficking and victimisation between North Korea and China: An ethnographic case study International Journal of Law, Crime and Justice 37, 154-169

Lisborg, A (2002) Bodies across borders: Prostitution-related migration from Thailand to Denmark. In Thorbek, S & Pattanaik, B (eds) Trans-national Prostitution London: Zed Books

Meaker, L (2002) A social response to trans-national prostitution in Queensland, Australia. In Thorbek, S & Pattanaik, B (eds) Trans-national Prostitution London: Zed Books

Mix, P.R (2002) Four cases from Hamburg. In Thorbek, S & Pattanaik, B (eds) Trans-national Prostitution London: Zed Books

Ruenkaew, P (2002) The trans-national prostitution of Thai women to Germany: A variety of trans-national labour migration? In Thorbek, S & Pattanaik, B (eds) Trans-national Prostitution London: Zed Books